

KENTUCKY GAZETTE.

[NUMB. XLIII.]

SATURDAY, JULY 9, 1796.

July 4, 1796.

MR. BRADFORD,
IN your Gazette of the 25th of last month, I find an answer to the objections I suggested, against the doctrine which was advanced by a *Constitutionalist*.—"That the members of the late assembly, are, by the twenty-fourth section of the first article of our constitution, excluded for one year, from the legislature, and from the electoral body." As the decency of language used by this correspondent, evinces that his object is really to ascertain the truth, I shall accept his invitation, and in the same spirit attempt a reply.

In opposition to my first objection, he shews, that the members of legislatures are sometimes styled officers. Not being possessed of all the authorities which he quotes, I can only presume he is correct. But I venture to assert, that on examining these authorities, and all the others in evidence, it will be found, that in far the greater number of cases, where the word *officer* or *officers* is applied to the members of legislatures, it was to avoid circumlocution, when they are spoken of collectively with the other servants of government—who, he ought to have confessed, are generally styled officers, and the truths they are involved with, officers; and that the reverse is true, when legislators are separately spoken of. The only exception to this assertion, which I have seen, is the one he quotes from our constitution. On which it may be remarked, that the present Pennsylvania constitution, on the same point, is in these words:—"No senator or representative shall, during the time for which he shall have been elected, be appointed to any civil office, under this Commonwealth, which shall have been created, or the emoluments of which shall have been increased, during such time." This is nearly copied from the federal constitution, and the clause in our constitution, in question, is nearly copied from that of Pennsylvania; but our convention, to prevent the repetition of the word *time* in the same sentence, have introduced the word *office* in its stead. To avoid offending the ear, they have offended the understanding: for in the federal constitution, which is admired for the accuracy of its language, and the state constitution, which I have perused, including our own, whenever all the functionaries of government are spoken of in detail, it is substantially in the following manner:—"Members of the general assembly, and all officers executive and judicial—clearly, and some of them expressly, making a distinction between assembly-men and officers. I shall not detain you with an attempt to account for the terms *offices* and *officers*, having been thus generally appropriated to the executive and judiciary departments; because I conceive it to be sufficient, that the fact is so, to establish the objection I have founded on it: for I rest on the position—that in the construction of any instrument, the words should be taken as they are most generally and commonly understood, unless restrained or extended to a more rare or uncommon meaning, by some special consideration. As to those who have but few political books to read, I shall only call on them to declare, what they have been accustomed to hear: not doubting but they will witness in my favour—that they have but seldom, if ever, heard legislators styled officers; and that the term has always been applied

to the members of the executive and judiciary. But another argument, in support of this objection, may be drawn from that clause in our constitution, which declares, that "the governor and all the civil officers, shall be liable to impeachment, for any misdemeanor in office." Now it would be contradictory to other parts of the constitution, as well as the nature and reason of the case, to suppose that members of the legislature are here included in the expression *civil officers*, and thereby subjected to impeachments.

I shall only trouble you with a few words in support of my second objection. To me, there still appears an evident and material distinction, between the emoluments of an office, and what is only considered as a reimbursement of the actual expenses incurred whilst in the execution of a trust. It is indeed possible for a legislature to fix a compensation for its members, which would amount to an emolument; but it never yet has happened, that a member of a state legislature, has been allowed more than about the one tenth part of what, on an average is considered to be an adequate compensation or emolument, for an executive or judiciary officer; and long established custom, and the largeness of the number of the members of legislatures, with other obvious circumstances, render it highly improbable, that the proportion will ever be greatly changed. I am sure that the office of a legislature, if it be an office, has never been counted, or expected to be lucrative. These considerations will satisfactorily account, why the check, provided by the constitution, on increasing the compensation of the members of the legislature, is not so rigorous, as the one respecting those appointed to the executive and judiciary departments.

But I wish it to be remembered, that I principally relied on my third objection—which on reconsideration, I think is conclusive. Contrary to what my opponent supposes, I do not find that any provision, contained in one clause of our constitution, is repeated in another.

But although such an inaccuracy might have happened, it is a rule of construction, as I before stated, that it shall never be imputed, when the two clauses will, with propriety, bear different meanings and applications; which must be determined from the apparent object of each of the clauses. In this case, the object of the two clauses are so evidently distinct, as to need no comment; and it ought also to be noted, that the one so immediately follows the other, that it would be the more absurd to suppose, that the latter inadvertently comprised the former. If then the two clauses do not necessarily respect the same object, to construe the latter, so as to exclude from the legislature for a year any citizen, would not only be a violation of the rule alluded to; but likewise of a more important principle—that no man ought to be deprived of life or privilege, but by the unequivocal declarations of the law. If the gentleman will again recur to the constitution, he will find, that the clause which he quotes concerning the salary of the governor, is not superfluous; for nothing tantamount is contained in any other clause.

An observation here arises which may suffice, on what he opposes to my fourth objection. By his construction, not only many citizens, would be arbitrarily deprived of

an important privilege, but the community also of the services of their most experienced and confidential men; which would be so violent a draught from the legislative talents of the country, that I am confident, that this could not have been the intention of the framers of its constitution. Or if it was, that virtuous patriots, as well as those who are only emulous of retaining their seats in the legislature, would prefer eligibility, with the exiling compensation, to the consequences of such a change; and that therefore thus to extend the construction, would have the operation which I before stated.

I would not have thus far intruded on you and your readers, had I not thought it of consequence to remove what appeared to me, a mistaken suggestion of the illegibility of such of the present assembly as were members of the last; because I am of opinion, that no good citizen would wish to hold a trust, from which he is really excluded by the constitution. That the constitution of our government ought to be revered, and all its provisions and institutions held inviolate, until altered or abrogated by the same authority that established them, is my political creed: to that neither can I agree in sentiments with my opponent, when he intimates that constitutional regulations are unnecessary, and have a tendency to "exchange men for machines;" or that they ought to be considered as "the checks and balances of aristocracy." If I should find that I have mistaken his meaning, I shall be ready to ask his pardon; but understanding him as I do, I think it proper thus to signify my dissent, without having any desire or intention of entering into a polemical discussion of the subject. I would however, beg leave to remind him, that the people of a large community, can only govern themselves by agents, and that as the people are the sovereigns, it would be incompatible, that their agents should become so; moreover, that continual struggles will be making by the ambitious, respecting—the right of being agents—the nature, extent and duration, of their several powers—and who shall have the agency over their fellow agents. The more short and simple the constitution is, which will regulate these concerns, and restrain these evils, with many others equally important, the more it ought to be admired; and if no constitution has yet been framed, which effectually answers all these purposes, the fault is not in the device, but in the want of greater perfection than it has attained.—The gentleman will, at least, acknowledge, that sentiments so contrary to the opinions and practices of the free communities in the world, should not have been published, without the arguments to support them.

Another Constitutionalist.

LONDON, April 22.

The account of the Cape of Good Hope being taken by the French is unfounded.

A letter received at New-York from Dominica, dated May 2d, mentions the capture of St. Lucia. This information is fully contradicted by the articles under the St. John's head in this days paper: from which it appears that on the 15th of May, Morne Fortune, the principal fortress in St. Lucia, had not surrendered; nor does it appear that such an event was likely to take place.

PARIS, April 2.

Letters from Vienna state, that Clairfay is to repair to Petersburg, in consequence of an invitation from the empress. It is believed, that the object of this voyage is relative to a war which Russia seems to meditate against the Turks, as being the creation of the threshold alliance.

April 8.

Our bankers, who heretofore discharged their engagements in ready money, now pay all in mandats.

Great numbers of English ships, are brought into our harbors. One was lately brought into Brett, worth 400,000 livres in ready money.

April 10.

Afflicting news has been received from the department of Cher. The alienblages of royalists which have been formed there are become more numerous, and have already committed many acts of violence. The town of Sancerre is said to be already in their hands, where they have destroyed all the Republican symbols, and hoisted the white flag. It is a Monfie Southilliers; an ex-constituent, who is at the head of this insurrection. Our government has ordered troops to march thither; and is taking the most active measures to put a stop to the rebellion and to discover the authors.

If the Ami des loix may be credited, the directory have perceived the folly of treaty concluded with the elector of Hanover, and has just given orders to invade his dominions. We did not know that the engagement contracted under the faith of treaties, could be considered as foolish. We are equally at a loss to know whether this policy, which was doubtless invented by Charles Lacroix, is well calculated to secure the attachment of the court of Berlin, under whose mediation that neutrality was agreed upon.

It is acknowledged that the negotiations with the court of Turin are broken off. We are assured, that the Sardinian Minister refused to receive two Frenchmen who were charged with proposition for peace, because it was known before hand, that terms were inadmissible. There are some who ascribe their conduct, in this instance to the intrigues of the English and Emigrants.

In order to avert the dangers which threaten him, Frecon, has married the sister of General Bonaparte.

General Pichegru, having definitely declined the embassy to Sweden, and being willing to enjoy the charms of repose in the bosom of his family at Arbois, the place of his nativity, the government is to send to Stockholm a simple Charge d'Affairs who is not known in a diplomatic character. He is ordered to depart in two days.

Gen. Moreau sets off to-morrow to take the command of the army of the Rhine.

INTERIOR OF FRANCE.

FROM THE PARIS PAPERS.

Letters from Bourdeaux state, that the trade of that city is in absolute stagnation; and that although all sorts of merchandize are 25 per cent. cheaper than formerly, yet they cannot be sold for want of buyers.

The Angers Gazette gives an account of an action near the Commune of Green-Soure, between

Chateau-Confier and lable, in which the Chouans were defeated, with the loss of 320 men.

The rebels have evacuated the town of Santerre, in the department of Cher, of which they had possessed themselves; and a battle has taken place between them and the Republican soldiers, wherein the former are said to have lost 700 men.

The Vendéans, on the 7th of April, sent two of their leaders with a flag of truce to summon the garrison of Trenchard to surrender. The garrison, having fired on them, the Vendéans to the number of 3000, marched to the gates, and again summoned the place when the inhabitants answered the summons by a discharge of musketry. The Vendéans then set fire to the town which continued to burn when the account left Vire. The inhabitants are said to have carried off 10 or 12 cart loads of their fellow citizens, either killed or wounded.

On the 5th instant, about 100 men, armed with pikes and pitchforks, repaired to the Commune of Piedreliste, burned the decrees and papers which respected the forced loan, and read a resolution to the Municipality, which, in the name of the King, annulled all the Republican acts. This armed force at last obliged the Municipality to cut down the Tree of Liberty, and make the Secretary write on a white flag, which they hoisted on the steeple, the following inscription: *Vive le Roi, et Sainte Religion.*

April 17.

The groupes of Anarchists and Jacobins continued yesterday very numerous and very warm. Men who boasted of having concurred in the edition of the 1st Prairial declare that the moment was now then left unfinished, and for re-establishing the satellites of Robespierre, dispersing the Deputies, assassinating the Directors, and re-assembling all the members of the Convention not re-elected, in order that they may proclaim the code of 1793.

April 18.

Louvet says, the agitation of mobs and violent commotions still continue. The Constitution of 1793, and Robespierre, are the rallying signs of Royalty. The emigrants paid by Mr. Wickham, mix among these crowds, as well as Amar and Vadier, members of Robespierre's Committee of General Safety.

According to letters received from Nantes, Angers, and other departments, infected with Chouans they have been beaten and dispersed wherever they have been met by the Republicans. There is reason to expect that it will not be long before this unfortunate war is terminated.

We yesterday perceived at the Thuilleries all the elements of sedition and massacre; the agents of the tyranny of 1793, General Rognod, and others of the criminal tribunal. The Pantheonists go almost every night to the Cafe des Bains Chinoises on the Boulevard, which is become the principal house of Anarchy, and they spread themselves over Paris in parties of ten, twelve or twenty men, and women, and by this means endeavor to organize Revolt.

The Mandate lost yesterday from 80 to 84 per cent. The Louis was at 5850 and 5900.

HUDSON, (N. Y.) June 2.

Extract of a letter from a gentleman in Paris to his friend in this city, dated 12th March 1796.

"The treaty lately negotiated with Great Britain, has been the means of destroying effectually the friendship which happily subsisted between America and France, and I assure you, we, all who are in France apprehend something serious will be in consequence, had that treaty taken place in the time of any other administration, but

the present one, it would have been dangerous for Americans to be in France. We are now even treated with the greatest contempt. The name of American is despised, more than that of any other nation and I am informed from good authority, that the convention have fixed upon two men to go to America and demand of our government the cause of refusing a very advantageous treaty with them, and immediately entering into one of the most infamous treaties with their most implacable enemy, and in direct violation of the treaty already subsisting between the two countries. The French are very much displeased at a certain part of the president's speech at the meeting of congress, when expatiating on the happy situation of America, he contrasted it with the present distracted situation of Europe. The French say and I thing very justly, that he reflected, and even seemed to exult, at their unfortunate internal commotions.

I am very much afraid that our present system of politics will involve America if not in war, in a situation almost as bad. I am with every body else here, of opinion that the alliance between America and France is nearly at an end, owing to the late close connexion with their and even our most inveterate enemy.

The English only want an opportunity to annihilate the American government, and this is the nation with whom we are seeking alliance—and violating treaties with this gallant nation to whom we owe our present boasted happy situation.

I know your aristocrats in England, will say I am an enthusiast, &c. that I have sworn eternal enmity to the British nation and will not bear reason when it respects England but have formed my political creed from prejudice—you can only tell them—they are wrong as it respects commercial affairs for in that I have no prejudice—whatever is best for my country in commerce, is best for me—I am as dispassionate and can hear reason as well as most aristocrats—I wish some of those wise acres were here who say the French will take no notice of the treaty, who also say we shall be treated with more civility by the British. The pride and haughtiness of that nation, is the same as ever and their hatred to Americans is proverbial—we are now hated and despised by both, whereas, before the treaty, we were respected by the French and only hated by a nation that is itself hated by all the world. This city is at present perfectly quiet, we hear not a word about war, 'tis true they are making vast preparations in every part of the Republic such an army as they now have was never before known, a young man is hardly to be seen in Paris.

I am happy to inform you, capt. Barney has had ample satisfaction for his infamous treatment, he has two cutters and a brig, privateers. One of the cutters has brought in prizes to the amount of £200 or three hundred thousand pounds sterling. Barney has shared himself at least one hundred thousand. He is captain of a ship of the French line, but not at present in actual service."

BOSTON, June 11.

It is with regret we learn, that the President of the United States, will decline being a Candidate for that important office, at the next election. It behoves, therefore, the Citizens of the United States, that none but Federal Electors be appointed at the next choice.

PHILADELPHIA, June 15.

Last Friday the new copper bottomed ship Mount Vernon, belonging to this port, outward-bound for London with a valuable cargo was taken about one hour after the pilot left her, by the French privateer schooner Flying-Fish, which sailed from hence a few days since. The privateer's men took every person, captain and crew, out of

the Mount Vernon, put them on board a pilot boat, and sent them off.—The captain of the Flying-Fish had a list of five or six American ships belonging to this port, which he said he was determined to capture.

Extract of a letter from Baltimore, June 10.

"Last night I received a letter dated Cayenne, 11th Floreal [April 20.] My correspondent informs, that citizen Jeanneret, accompanied by citizen Lajennetiere, the new governor, and citizen Malle, the Ordonator of the Colony, besides several other officers of the Administration, had arrived three days before, all in good health. The frigate La Meise, the corvette La Berge, and the cutter Le Dragon, are consequently at Cayenne.

The Republican brig Le Crocodile, carrying three 24 pounders, and 50 men, which citizen Polony some time since brought to Cayenne, has just taken near the mouth of the Amazon, the Portuguese ship La Princesse Royal, commanded by one Trinita, a Lieutenant in the navy, carrying twelve pounders, 59 men, and laden with ship-timber, 150,000 weight of cocoa, coffee, cotton, &c. and six boxes of plate. This ship was coming out of the Amazon, and struck without firing a gun. The sight of the tri-colored flag alone made them fall down on their knees.—I vouch for the truth of the above intelligence."

The bearer of this letter confirms the account of the capture of the Cork fleet, announced at Barbadoes by the flood of war, which was the only one that escaped.—On receipt of this news, which was brought on the tenth of May, the embargo, which had lasted 3 months, was taken off.—The same person announces also, that Admiral Christian had, near Madeira, fallen in with the Dutch fleet, and was TAKEN.

June 12.

It is reported, that the French Republic had declared war against Hamburg. The cause, we are told, originated in a refusal of the Senate to recognize the French Resident.

Thursday, the brig Lady Watterlooff, Capt. Gutierrez, arrived here in thirty-six days from Teneriffe. The captain says that information had been brought to Teneriffe by way of Spain, before he sailed from thence that a peace was concluded between the Emperor and France, but we doubt the authenticity of this account, having advices direct from Cadiz of the 21st April, from Paris the 19th, and from Hamburg, of the 13 which make no mention of such an event having taken place. The peace is said to have been concluded on the 11th of May; but we do not think it probable, that if that had been the case, that information could have been received of it at Teneriffe on the ninth of May, the day on which the brig set sail.

The Philadelphia Gazette states the owner of the Flying Fish, who, it appears was on board at the time of capture, to have behaved with great politeness to the captain, officers and passengers. Mr. Robertson mate of the Mount Vernon, was offered 3,000 dollars and to be made prize master of the next American ship the privateer should take, if he would remain on board the privateer—which he refused. The British would have commanded his services at a cheaper rate. Imprudent is an expeditious and effectual mode of procuring hands, and then money is not given to encourage the impelled to the duty, but punishment inflicted if they fail.

It appears that Mr. Paris, has another privateer schooner cruising in concert that is gone to the eastward to look for such ships as sailed from Boston or New-York.

By the pilot who returned yesterday from the brig Mary belonging to Mr. Leamy, we have the pleasure to hear, the brig got out in safety on Friday morning last, but that the Flying Fish privateer was then cruising without the Capes, and seen to board several vessels outward bound, and one of them, name unknown, supposed to be captured.

In consequence of the foregoing information, we are sorry to add, that we understand the public insurance offices have refused to underwrite several vessels, but at such premiums, as to prevent the outward bound ships, for British ports from sailing. The ship Philadelphia, which put back some days ago, in consequence of the information given by Captain Dominik, is still waiting for orders at Reedy Island.

Just as this paper was going to press information was received that the privateer Flying Fish, was spoke with on the 7th instant about 20 leagues off the capes, steering forward and eastward, under easy sail, by capt. Brown, of the ship Lavinia, just arrived from Liverpool.—This fact contradicts what has been said of the Flying Fish having orders to take every American vessel bound to or from British ports. (Philad. Gaz.

The alarm spread in consequence of the idea conceived, that the French privateers might have received orders to capture American vessels bound to British ports, has such an effect, for two or three days past, as nearly to prevent our outward bound shipping from sailing; and it had still a further effect with the insurance offices, to prevent their underwriting. The apprehension of some have however since subsided, and the underwriters, we learn, are again on as usual. [Frisley's Register.

Capt. Latimer, arrived on Thursday from Jamaica, which port he left the 5th instant, states, that the British forces have been defeated at St. Lucie.

Lexington, July 9.

Every honest man must be pleased to learn that the court of Spain has agreed to restore the property of the French residents, to men, or rather to villainously seized on at the declaration of war.

Yesterday being the anniversary of the declaration of American independence, was celebrated here with all the enthusiasm which an event so important to our country would naturally inspire. Early in the morning the different volunteers corps assembled, and after some manoeuvres which reflected the highest honor on the officers and soldiers, they retired in a body, accompanied by a great number of the most respectable citizens, to the sycamore Grove, where an excellent dinner had been prepared for the occasion. The importance of the occasion, the pleasing recollections which it recalled, the beneficence of the day, and the general spirit of joy and festivity, rendered this one of the most interesting scenes we have witnessed. No personal animosity, no illiberal system of politics, interrupted the general joy: they felt and acted like freemen, and with exulting hearts and applauding hands, joined in drinking the following toasts: After which the troops returned to town and fired three volleys.

1. The day and all who honor it.
2. The Republic of France.
3. The Republics of Batavia and Geneva.
4. The patriots of America.—May they never cease from their endeavors to promote the welfare of their country.
5. Kosciuszko and the patriots of Poland.
6. The militia of the United

States—May their military ardor
above to tyrants that citizens are
the proper guardians of national
honour.

7. The Legion of the United
States.

8. Peace with honour to all the
nations of the earth.

9. Equal liberty through the
world.

10. Agriculture and her hand-
maid commence.

11. May national wealth never
be sacrificed to individual emolu-
ment.

12. The president of the United
States.

13. Confusion to all combina-
tions against the rights of man.

14. The Spanish treaty.

15. The memory of those who
have died for the liberties of their
country.

16. The Patriots of 1776.

At an early hour the company
retired—a splendid ball concluded
the scene; where the citizen sol-
diers recounted the pleasures, and
in the smiles of beauty forgot the
fatigues of the day.

[Kentucky Herald.]

HAMBURG, APRIL 22.

Letter from Stockholm dated
April 18.

Information just received
here, that the empress of Russia
has marched an army to the bor-
ders of Finland and ordered her
fleet to be fitted out: the king of
Sweden is unacquainted with the
design of the empress in taking
this measure, but has given imme-
diate orders for his army in Swe-
den and in Finland immediately to
prepare for war. He has also or-
dered to be fitted out his large and
small fleets. The Russian army is
supposed to be 600,000 men strong.

Another letter of the same date.

The courier, which our ambas-
sador Baron von Steinfelt, has
forwarded to Petersburg, giving in-
formation of the preparations
which are there making for war,
was sent from Petersburg on the
9th of March. The orders which
he gives to the commander in
chief of Finland are, that the
whole army of that province shall
repair to its borders, in order to
defend it against any attack which
may be made upon it.

HOUSE & LOT for sale.

I purpose selling the House
and Lot where I now live, on Short street
in this place. It is a good framed House, 22
by 31 feet, with a shed the length of the
House, 12 feet wide. Potholes may be
had immediately; and the terms known by
applying to the subscriber on the premises.

William White.

Lexington, July 6.

For Sale—The House and Lot

WHEREAS I now live, on Lincolnton
Street, in the town of Lexington, the
Lot is 20 feet front and 66 feet back; the
House is 24 feet front and 26 feet back,
built of square logs, one story high—Part
cash, and part three goods, or other property,
will be taken in payment. For terms ap-
ply to

William Rofs.

July 7, 1796.

Taken up by the subscriber
living on a branch of the Cave spring, about
three quarters of a mile from Thomas Lil-
lard's, Franklin county, a fine black bay
horse, about fourteen hands high, branded
on the near shoulder A, and said to be eleven
years old; appraised to £11.

April 28, 1796.

Taken up by the subscriber

Maiden county, Faint lick, a bright bay
mare four years old, fourteen hands high, a
small ear and flip, near hind foot white,
shaved on the sides with riding; no brand;
appraised to £11.

April 28, 1796.

Taken up by the subscriber

Living on the Ohio, at the mouth of Cabin
creek ferry, a black mare, about fourteen
hands high, five years old, no brand nor ear
mark. The owner is desired to come,
prove his property, pay charges and take
away.

JOHN WATKINS.

FOR SALE.

Two Hundred Thousand Acres of Valuable LAND.

SITUATED in the counties of Franklin,
Clarke, Harrison, Meigs, Madison, Lin-
coln, Hardin and Greene. The tracts shall
be paid, and other immunities discharged
at the time, and in the manner prescribed
by law.

The subscriber, who will hereafter reside
in this town, is authorized to dispose of
the above mentioned property by a power of
attorney, recorded in the office of the court
of appeals. As he means to practice law in
the adjacent courts, persons desiring to pur-
chase the different tracts, will have an op-
portunity of contracting with him at any of
those places.

Charles W. Bird.

Lexington, July 18, 1796.

Taken up by the subscriber

one mile from Richard Amstrong's ferry,
Monroe county, a gray horse, about seven
years old this spring, thirteen hands and a
half high, a small bell on with a leather col-
lar and round buckle, has been round fluid,
branded thus, S appraised to £9.

John Butler.

April 23, 1796.

Taken up on Kennedy's

creek, about half a mile from the Ohio, and
about three miles from Lincolnton, a light
bay mare, a small bunch of white hair in her
mane, occasioned by the collar, a small ear
in her forehead, about fourteen hands and a
half high, about five years old; value
£20. Posted by JOHN McBRIDE. Given
under my hand this 17th July, 1796.

GEO. MITCHELL, Lincolnton.

MEIGS COUNTY.

WHEREAS Nannah Lou, my wife, has
elected from my bed and board, with-
out any just cause, she is therefore to fore-
warn all persons from crediting her
as said Nannah Lou on my account, as I am
determined to discharge none of her debts
nor be accountable for none of her contracts.

Daniel Lour.

June 10, 1796.

Logan county, Green river,

near Amos's ferry.

This is to inform the pub-
lic, that myself and my wife ANN, being
lawfully married, both mutually and uncon-
ditedly agreed, to make a total separation from
this time forward; and having made to
total division of our property to both our
infants, with mutually to forewarn all per-
sons whatsoever, from dealing or trading
either of us from this time forward, with
any view of recovering any thing from the
other, as we are determined to have no deal-
ings from this time. In witness whereof, we
mutually agree, and give our hands and seals
this 24th day of June, 1796.

John Steel, (Seal.)

Ann Steel, (Seal.)

To be

Charles Miller,

James Amos,

Tin. Conely. R3p3w

I hereby forewarn any per-

son or persons from purchasing the house and
lot, or any of the household furniture which
is now in possession of Catherine Galt, as
she is only to hold it till she dies, and
which will afterwards succeed to me or my
heirs.

AUGUST CUMIN.

Lexington, July 8, 1796.

NOTICE—that I sold to a certain Silas

Payne, twenty-five hundred, acres of
land upon Green river, in the following
tract: One of 300 at the forks of Casey's
creek, one of 600 above the forks of Casey's
creek, one of 300 between the forks and mouth, one
of 400 in the name of John Hunter, one
of 615 above the mouth, in the name
of John M. Alexander, one of 220 upon
Green river, above. The last payment
not due before the first day of January 1797,
but I took a mortgage upon the said land
as security until paid, which is recorded in
Madison county court.

July 5, 1796.

J. H. BARNETT.

3w

PUBLIC NOTICE is hereby given, that

we shall attend the commissioners ap-
pointed by the county court of Harrison, in
pursuance of an act of the assembly of Ken-
tucky entitled "An act to ascertain the
boundaries of lands, and for other purposes,"
on the first Monday in August next, at Sam-
uel Janelson's tavern, in the town of Cin-
cinnatus, and from thence proceed to the
lands obtained by the following tract, and
thence to take the depositions of juris-
dict persons relative to certain specialties of
the same, to wit:—May 15, 1785, James
Blane entered 2,000 acres upon a treasury
warrant in the forks of Licking, between
the Scotts and Salt spring fork, about three
miles N. E. of Samuel Dennis's land, run-
ning north and east to include a Locust
ridge.

JAMES BLANE.

LUCAS SULLEVANT.

NOTICE—that on Monday the 25th in-
stance, I shall attend with the commis-
sioners appointed by the county court of
Harrison, at the place called for by the county
certificates of William Collinsworth, to
the old trace crosses the north fork
of Howard's creek, in said county, in order
to perpetuate testimony respecting that
claim, and also the claim of Richard Searcy
adjoining; of which all persons whom it
may concern are desired to take notice.

Reuben Searcy.

July 1, 1796.

NOTICE,

THAT on the twenty-fifth inst.
I shall attend at an improve-
ment on Stoner's fork, in the coun-
ty of Clarke, claimed by me and
included in an entry of 1000 acres
made on a preemption in my name,
which is where the old Green Bri-
ar trace crosses said fork, with
commissioners to perpetuate the
said improvements, and do such
other acts as by law directed.

JOHN FOUNG, for
AMON MORGAN.

July 1, 1796.

NOTICE

THAT on the first Monday in
September next, I shall, in or-
der to the said court, attend with
the commissioners appointed by the
court of Shelby county, at Ban-
timley, and proceed to perpe-
tuate the testimony of certain claims
in an entry of 1000 acres of land
made in the year 1786 in the name
of William Gray, on the old trace
leading from Harrodsburg to the
falls, about six miles from the old
ford on Benion; And do such o-
ther act as shall be deemed neces-
sary and agreeable to law.

LEWIS CRAIG.

July 2.

STATE OF KENTUCKY.

Fayette County, April Quarter

Sessions Court, 1796.

Levi Todd, Complainant,

Against

Elizabeth Ridley, Widow of William

Ridley deceased, and James Ridley,

Robert Ridley, Henry Wills Ridley,

and Mary Ridley, infants, heirs and

representatives of William Ridley de-
ceased.

In CHANCERY.

THE Defendants not having entered their
appearance agreeably to an act of assembly
and the rules of this court, and it appear-
ing to the satisfaction of the court, that they
are not inhabitants of this state: therefore
on the motion of the complainant by his
counsel, it is ordered, that they do appear
here on the second Tuesday in September
next, and answer the complainant's bill;
that a copy of this order be forthwith in-
serted in the Kentucky Gazette for two months
successively, and published at the door of the
Presbyterian meeting house in Lexington,
on Sunday immediately after Divine ser-
vice, and at the front door of the court
house of this county.

(A copy.) To be

LEVI TODD, C. Cu.

MADISON JR.

April Court of Quarter Sessions, 1796.

Archibald Wadley, Complainant.

Against

John Patrick and Elizabeth his wife, Cath-

erine, Thomas Newell and Mildred

his wife, Samuel Henderson and Eliza-

beth his wife, John Haller and Frances

his wife, Richard Hilkison and Lybia his

wife, Doga Callaway, James French and

Keziah his wife, Richard Callaway, John

Callaway and Ann Callaway, children and

heirs of Richard Callaway, deceased.

In CHANCERY.

IT appearing by satisfactory proof to the Court,
that the Defendants John Patrick and Eliza-
beth his wife, Catharine Callaway, Thomas Newell
and Mildred his wife, Samuel Henderson and Eliza-
beth his wife, Doga Callaway and Ann Cal-
loway, are not inhabitants of this State, and they
having failed to enter their appearance heretofore
agreeable to a rule of this Court; it is therefore
ordered that the said defendants enter their ap-
pearance herein on the first Tuesday in February
next, and answer the complainant's bill; and that
a copy of this order be inserted eight weeks suc-
ceeding to the Kentucky Gazette, and published
on Sunday immediately after divine service at
the State meeting-house.

(A copy.) To be

Wm. IRVINE, C.M.C.

WE hereby give notice, that agreeably

to an order of the county court of
Madison county, we shall proceed to take
depositions to establish and perpetuate the
improvement and boundaries of Lawrence's
preemption, on the waters of Lawrence's
creek in the county aforesaid, on the third
Monday in July next, and on the land afore-
said.

James Wiley,

Pat. Patterson,

Pat. Hunter,

James Ringland.

Madison county, June 8, 1796.

NOTICE

I solemnly given to all whom it may con-
cern, that commissioners appointed by
the court of Madison, will meet at the house
of John Keith on main Fleming, on the 25th
day of July next, in order to perpetuate the
testimony of certain witnesses respecting the
preemption of 1000 acres of land made in
the name of Meior Reese; and do such o-
ther acts as shall be deemed necessary and
agreeable to law.

JOHN KEITH.

June 12, 1796.

TAKE NOTICE.

AGREEABLY to an or-
der of Bourbon court, I shall attend
with the Commissioners appointed by said
court, on Monday the eighteenth of July
next, to prove the beginning marked trees,
for a thousand acres of land, located for
subscribers, near a spring where Jeremiah
Frame now lives, about eight miles from
Paris, on the waters of Stoner's fork, in
order to take the depositions of certain wit-
nesses, to establish the beginning, and do such
other necessary acts as the law directs.

JAMES DUPUY.

June 22, 1796.

TAKE NOTICE.

AGREEABLY to an order of
Bourbon court, I shall attend with the
commissioners appointed by said court, about
three miles from Paris, on Stoner, on Wed-
nesday the nineteenth of July next, in order to
prove the beginning of a thousand acres of
land, located for subscribers, near a spring
where Jeremiah Frame now lives, about eight
miles from Paris, on the waters of Stoner's
fork, in order to take the depositions of cer-
tain witnesses to establish the beginning, and
do such other acts as the law directs.

JAMES LITTLE.

June 22, 1796.

PUBLIC NOTICE.

ON the fourteenth instant, in the town
of Winchester, in the county of Clark, ap-
peared a man who called himself John Dav-
is, and proposed selling a chestnut horse
about two years old, fourteen hands
high, three white feet and a blaze face, and
branded on the near shoulder and buttock
I. D. The conduct of the said Davis in the
sale of the horse being suspicious, he, to-
gether with the horse were detained till the
night of the 16th, when the said John Dav-
is absconded, leaving the said horse and a dark
bay mare (which he also brought with him)
fourteen hands high, seven or eight years
old, large saddle spots, a small star in the
forehead, and branded on the near shoulder
B. F. Whoever buys the said horse and
mare are desired to come forward to prove
their property, pay charges and take them
away.

JOHN HOOD.

N. B. The said Davis also left his card, &c.

June 16, 1796.

STATE OF KENTUCKY.

Fayette County, April Court of

Quarter Sessions, 1796.

ROBERT PATTERSON, Complainant,

Against

NATHAN READ, Defendant.

In CHANCERY.

THE Defendant not having entered his ap-
pearance agreeably to an act of assembly,
and the rules of this court, and it appear-
ing to the satisfaction of the court, that he is
not an inhabitant of this state: therefore
on the motion of the complainant, by his
counsel, it is ordered that the said Defend-
ant do appear here on the second Tuesday
in September next, and answer the com-
plainant's bill; that a copy of this order be
forthwith inserted in the Kentucky Gazette
for two months successively, and published
once Sunday at the Presbyterian meeting
house in Lexington, immediately after Di-
vine service, and at the front door of the
court house in this county.

(A copy.) To be

LEVI TODD, C. Cu.

At a Court of Quarter Sessions held

for the County of Hardin, the 23d

day of February, 1796.

James Nourie, Complainant,

Against

George James, John An-

derlon, James Brown,

Philip Phillips & Ebene-

zer Osburn,

Defen-

dents.

In CHANCERY.

THE Defendant George James, not having
entered his appearance agreeable to an act of
assembly & the rules of this court, and it ap-
pearing to the satisfaction of the court, that
the said defendant is not an inhabitant of this
commonwealth; on the motion of the com-
plainant by his counsel, it is ordered that the
said defendant do appear here on the fourth
Tuesday in September next and answer the
complainant's bill; and that a copy of this or-
der be forthwith inserted in the Kentucky
Gazette for two months successively and
published at the house of Mr. John Vertrees
two Sundays it being a place of public
worship, immediately after Divine service.

D. MAY C. H. C. Q.

COPPER

And MATERIALS for STEELS for SALE.

Apply to

HUGH McILVAIN.

Lexington, May 4, 1796.

For more advertisements see Gazette Extra.

WAS stolen on the night of the fifthenth of June, about one mile from Bourbon court-house, a bright bay MARE, about twelve years old, about fourteen hands high, no brand, fine fiddle spots, has had the poll evil. Also a foal FILLEY, one year old last spring, no brand nor natural mark, except a small white spot on one of his hind feet near the hoof, natural trotter—supposed to be stolen by a negro. Whoever secures said horses or either of them, so that I get them, will be handsomely rewarded and all reasonable charges paid by me.

John H. Cracraft.
N. E. Also was stolen, a nanken coat, waistcoat and breeches—the coat black—one fur hat and a pocket book, with sundry papers, viz. an undamaged bond of about \$50, and one note assigned to Peter Swartz-wiler, of about 130, one receipt of about 100, wrote in Dutch, and several other papers. 1st July 8, 1796. J. M.

I hereby forwarn all persons from taking any assignment on a bond of mine given to John Kincaid, of between 35 and 381, dated July 14, 1796, it being a balance for a tract of land that I purchased from the above Kincaid, which land appears to have disputes more than I know of; therefore, I am determined not to declare the said bond until I can obtain a deed for the said land.

Thomas Ricketts.
June 4, 1796. 33v

Taken up by the subscriber, on Capt. run, Harrodsburg, a dark bay HORSE, three or four years old, fourteen hands high, branded 14 on the near shoulder, has a star and fawn, not decked, appraised to 90.

ROBERT LOVER.
May 12, 1796.

Taken up by the subscriber, living on the West side of Salt river, four miles from Alton, Buchanan's mill, Mercer county, a brown Mare, thirteen years old, fourteen hands high, a small star, a small fiddle spot on the off side of her neck, some white on both hind feet, appraised to 40. Also an iron gray mare colt, appraised to 30.

ALBERT FLOCH.
April 30, 1796. 4

TAKEN up by the subscriber in Mercer county, on Chaplain's fork, seven miles from Harrodsburg, a bay MARE, judged to be ten years old, thirteen hands high, has a small star and some white hairs down towards the nose, appears to be with foal, branded on the near cushion U. S. and on the near buttock J. S. has a small bell hung with a leather strap and one black buckle, trots natural, appraised to 80.

William Lee.
May 10, 1796. 4

TAKEN up by the subscriber, living in Bourbon county, on Indian creek, a flea-bitten gray Mare, about fourteen years old, thirteen hands high, with a six shilling bell on, branded ID on the near shoulder and buttock, a red spot on her neck, appraised to 60.

Adam Baker.
April 19, 1796. 4

Taken up by the subscriber living in Woodford county, near the mouth of Clear creek, a foal horse, four years old, trots natural, branded on the right shoulder and buttock with a writing I, and on the left shoulder with IW, appraised to 20.

JOHN FINN.
June 4, 1796.

Taken up by the subscriber living on Pleasant run, in Washington county, a brown mare, nine years old, thirteen hands and a half high, trots and paces, branded on the near thigh, S. had on an old bell, told with a leather strap; appraised to twelve pounds.

Jacob Myers.
May 6, 1796.

TAKEN up by the subscriber, living in Clarke county, on waters of Upper Howard's creek, a bay Horse, five years old, about thirteen hands three inches high, branded on the right shoulder thus II and on the right buttock thus T small star in his forehead, both hind feet white, appraised to 70.

William Cotton.
April 16, 1796.

TAKEN up by the subscriber in Shelby county on the waters of Beach creek, a bright bay Horse, sixteen or seventeen years old, fourteen and a half hands high, a star in his face, has been hurt with the collar on both sides of the neck, with a large bell hung on with a piece of flannel girth and two buckles, appraised to 60.

COONROD MILLER.
March 12, 1796. 4

Taken up by the subscriber in Clarke county, a roan mare, about 12 years old, 13 hands high, branded on the left shoulder and buttock thus (CB) and is with foal; appraised to 70.

Thomas Williams.
May 23, 1796.

BLANK DEEDS
For sale at this OFFICE.

FOR SALE, The following tracts of LAND, (VIZ.)

2300 acres on the waters of Otter creek, Madison county adjoining Caleb Callaway's Neck Buckle lands.

1378 acres on Callaway's creek, about four miles below Boonborough.

825 acres on Paint lick creek, near Paint lick.

250 acres on ditto, adjoining the lands of Henderson and Stephen Trigg.

250 acres on ditto, near the lands of John Masell.

The above Lands are all patented in the name of Nathaniel Hart, & the heirs of Nathaniel Hart deceased. The whole of which will be sold on the lowest terms for CASH. For further information apply to JOHN HART, in Danville, or the subscriber in Frankfort.

NAT. HART,
Acting Executor of NATHANIEL HART, dec.

CHEAP LANDS FOR SALE.

The subscribers propose selling the following

FIVE hundred acres, part of that noted tract called Floyd's Woodstock tract, within eight miles of Lexington and seven from the Kentucky river; in the center of which is a never failing spring.

Five hundred acres, lying within three miles of the town of Cynthiana, being one half of a thousand acre survey made for Maj. John Mulby, adjoining Coleman's tract.

Five hundred acres, situated on the Hanging Fork, within six miles of the late governor; one hundred and twenty acres of which is well cleared; on it is a peach orchard of six hundred trees, that has made four hundred gallons of brandy in one year, and every appearance of there being sufficient fruit to make five hundred this season; with an apple orchard of four hundred flourishing trees, and a choice collection of cherry trees, together with seventy-five thousand well burnt brick, & a good frame for a house; the above farm rents this year for two hundred dollars.

Also one equal half of the ferry at the town of Cynthiana, on Licking, at the mouth of Stoner.

We will sell the above property VERY LOW, as we are in want of money, and will give a good and sufficient title.

ABRAHAM & JOHN W. MUNT.

Wm. Smith's wife, having removed from this state, this is to certify to caution all persons from dealing with her, as she will pay no debt of her contracting.

JOHN SMITH, jun.
May 29, 1796.

FRESH GOODS

Alex. & James Parker, have just imported and now opening at their Store in Lexington, opposite the Court House, a large and handsome assortment of well chosen MERCHANDIZE, suited to the present season; which they will sell on very moderate terms for CASH and HIDE.

May 27, 1796.

THE SUBSCRIBER

HAS opened in the Stone house adjoining Mr. H. Marshall's Tavern, and occupied by Mr. William Streibley & formerly by Mr. Benjamin Stout, a neat and well chosen assortment of

MERCHANDIZE.

Which he will dispose of on very moderate terms for cash or country produce.

WILLIAM WEST.
LEXINGTON January 22 1796.

Just Received, AND NOW OPENING

BY THE SUBSCRIBER, in the house lately occupied by Mr. Jas. Craig, in the town of Versailles, Woodford county, a handsome assortment of

MERCHANDIZE,

suited to the present and approaching season;—consisting of dry goods, Wine, French Brandy, Lead and Brown Sugar, Shot, Lead, Bar Iron, &c. &c. &c. Which he is determined to sell on the lowest terms for Cash, Country Linnen, Cheese, Bacon, Furr, Vinegar and Oils.

He expressly requests all those indebted to him at his late store in Lexington, or to him, to come forward and make payment, by the twentieth of July next, after which time, all those that fail, may expect to have their accounts put in the hands of proper officers for the collection of the same.

William Streibley.
Versailles, June 22, 1796. 15

200 acres of Land

FOR sale, as good as in the state, on the main road leading from Lexington to major Hensy's mill, six miles from Lexington and six miles from Goose Creek; 90 acres in good fence, 85 cleared, 5 acres of as good meadow as in the state. The title indisputable.—For terms apply to Mr. John Gardner, who is fully authorized to make sale by me.

J. Benham.
May 27, 1796.

LANDS TO BE LEASED

is hereby settled part of Kentucky, of high and fertile ground near the Ohio, of the best quality, admirably watered, and affording the most luxuriant range for cattle, both in summer and winter.

Seven years rent free will be given for clearing; or a long lease, at a very easy rent, payable in produce. For further particulars apply to

H. TOULMIN,
At the Secretary in Lexington.
June 10, 1796.

TWENTY DOLLARS REWARD

RESERVED, from my detachment, this morning, *Thomas Duntley* and *Samuel Gaudy*, both private soldiers in the second sublegion. Duntley is about five feet ten inches high, blue eyes, light hair, and well proportioned; took with him some part of his uniform clothing. Saunders is about five feet eight inches high, dark eyes and hairy and dark complexion, rather slender built; took with him a light infantry cap, and some uniform clothing. The above reward will be given for delivering them to any officer of the legion, or securing them in any jail in the United States, and all reasonable expenses paid; or TEN DOLLARS for either. It is highly probable they will make for the Rapids of Ohio, or the mouth of Kentucky, as they were seen early in the morning making down river.

E. GAINES, Capt. U. S. L.
Greenville, June 22, 1796. 3m

MILITARY LAND.

FOR SALE

AN old Military survey, made for James Southall; containing upwards of 1400 acres, on Marble creek; on the same is a good mill seat, and about forty or fifty acres of cleared land. Mr. William Stafford lives near the land, and will show it to any person on application. Its situation, ten miles about a fourth mile from Lexington. It will be sold low for Cash, or Military lands below Green river, or on the north west of the Ohio, will be received in exchange.

JOHN FOWLER.
June 17, 1796. 6p

TAKE NOTICE.

AGREEABLY to an order of Bourbon court, I shall attend with the Commissioners appointed by said court, at Samuel Mitchell's, on Monday the eighteenth of July next, in order to certify the identical spot that was originally called Hanger's tract, above the mill on the river, for and to divide the settlement and preemption of Samuel Henderson ought to be agreeably to his claim; that other claims adjoining or interfering with said Henderson's be legally ascertained.

Where I then take the deposition of sundry witnesses to establish the same.

JAMES DUPUY.
June 22, 1796. 1

TAKE NOTICE.

THAT agreeable to an order of the county court of Woodford, I shall attend with the commissioners on Saturday the sixth day of August next, at a sinking spring, near the plantation whereon I now live, in the said county—then and there to depose certain testimony respecting the improvement of James Bartlett's preemption of a thousand acres; and do such other acts as may appear necessary and agreeable to law.

JOHN WATKINS.
June 25, 1796.

NOTICE.

IS hereby given to all whom it may concern, that whereas Samuel Harves on the third day of December, 1782, and with the surveyor of Fayette county 5000 acres of land on part of a treasury warrant no. 1 to begin at a large ash tree marked I. C. standing on the Buffalo road leading from Mr. Grant's station to the lower Blue Lick, and to five or six miles from the said Lick, and whereas the heirs at law of Samuel Harves (who has lately deceased) are desirous to establish the beginning of the survey made upon the above location, and have by the subscriber their attorney, fully authorized for that purpose, obtained an order from the county court of Bourbon, appointing commissioners to take the depositions of witnesses to establish said beginning, by virtue of an act of Assembly entitled "An act to ascertain the boundaries of land, and for other purposes." The said commissioners will meet at the beginning corner on the 29th day of July next, and will then do such other acts as may be necessary and the law requires.

ROBT. BUCKNER.
Atto. in fact for Sam. Harves's heirs.
June 11, 1796.

NOTICE

IS hereby given to all whom it may concern, that commissioners appointed by the court of Madison, will meet at the house of George Stokton, on the waters of Fleming, on the twenty-fifth of July next, in order to perpetuate the testimony of certain witnesses respecting an entry of 1000 acres of land in the name of George Stokton; it being his preemption—and do such other acts as shall be deemed necessary and agreeable to law.

GEO. STOKTON.
June 10, 1796.

By the imprudent conduct of my wife, *Charlotte Gustin*, I am induced to forewarn all persons from crediting her on my account, as I am determined to pay no debts of her contracting after this date.

AMOS GUSTIN.
June 30, 1796. 3m

NOTICE.

That on the 26th day of July next, I shall attend with the commissioners appointed by the county court of Clarke, at the place where the old road, leading from Enoch Smith's to Hornback's mill, crosses Summerfield in order to take the depositions of sundry witnesses and perpetuate their testimony, respecting the calls in the entries of Anthony Buckner's settlement and preemption, and do such other act, as shall be deemed necessary and agreeable to law.

JOHN HEDGES for ANTHONY BUCKNER.

And on the 27th of July next, I shall attend with the commissioners aforesaid, at Peyton's lick, and proceed from thence, to an entry of 2500 acres made in the name of John Hedges, in order to take the depositions of sundry witnesses, and perpetuate their testimony respecting the calls in said entry, & do such other act as shall be deemed necessary and agreeable to law. All persons concerned in the lands adjoining or interfering with either of the abovementioned tracts, are hereby notified to give their attendance.

JOHN HEDGES.
June 30, 1796.

TAKEN up by the subscriber on the waters of the East fork of Albe's creek, about two miles from Hutton's mill, Nelson county, a foal horse, about fourteen hands high, about four years old, lately doctored pretty long, no brand perceivable, a large star in his forehead; appraised to 180.

WILLIAM KENNEDY.
April 25, 1796. 1

At a Court of Quarter Sessions continued and held for the County of Mercer, on Wednesday the 27th day of April, 1796.

Jacob Coleman, Complainant,

DAVID GAINES

Daniel Brodhead, Defendants.

Samuel Irwine.

IN CHANCERY.

THE defendant Daniel not having entered his appearance agreeable to law & rules of this court; & it appearing to the court that the said defendant is no inhabitant of this country; on the motion of the complainant, therefore, by his council, it is ordered that the said defendant do appear on the first day of our next September court to be held for said county, and answer the complainant's bill; and that a copy of this order be forthwith palled up at the front door of this court house, and published two weeks in the Kentucky Gazette.

(A copy.) Teste

THO. ALLIN, C. C.

NOTICE.

THAT I have a Petition presented to the next General Assembly, for forming a new county out of the lower part of Mason and the upper part of Campbell counties,

31 July 1, 1796.

TAKEN up by the subscriber in Mercer county, on Chaplain's fork, 5 miles from Harrodsburg, a bright bay HORSE, 14 hands and a half high, judged to be seven or eight years old, light made, branded on the near shoulder with a heart, trots natural, appraised to 140.

JOHN KIRKLAND.
May 11, 1796. 11

TAKEN up by the subscriber living on Hingston in Clarke county, near Poston's lick, a bay horse, 6 or 7 years old, 14 hands high, branded on the off shoulder G a small star and fawn; appraised to 50.

Thomas Eaton.
May 7, 1796.

TAKEN up by the subscriber in Clarke county, near Peyton's lick, in the wilderness, a dark bay Horse, fourteen hands high, fourteen years old, shod before, has about a 2s. bell, has a star and fawn in his face, the right hind foot white, branded on the left shoulder A and on the left buttock appraised to 90.

CHARLES YORK.
April 9, 1796.

LEXINGTON:
PRINTED BY JOHN BRADFORD.

ON MAIN STREET.

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